

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2626 – SB 2630

April 2, 2018

SUMMARY OF ORIGINAL BILL: Limits when a committee of the Senate or the House of Representatives can adopt a resolution to require the Tennessee Bureau of Investigation (TBI) to open investigative records to only instances when the General Assembly is not in session.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (016432): Deletes all language after the enacting clause. Authorizes members of an ad hoc committee of the General Assembly, upon passage of a resolution by a majority vote of such committee, to inspect investigative records of the TBI. Authorizes any adopted resolution pertaining to unsolved civil rights crimes occurring between 1940 and 1969 to designate an attorney within the Office of Legal Services (OLS) as the inspector of such investigative records. Requires a designated attorney to submit to a fingerprint background check by the TBI.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Under current law, pursuant to Tenn. Code Ann. § 10-7-504, the TBI shall open such records for inspection upon a resolution being adopted in either the Senate or House of Representatives or by a standing or joint committee of either the Senate or House of Representatives.
- The proposed language would expand the types of committees within the General Assembly which could inspect TBI investigative records to include ad hoc committees.
- Expanding which committees can inspect TBI investigative records will not result in any significant fiscal impact to state government.

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- The proposed language would authorize the designation of an OLS attorney as the inspector of investigative records concerning unsolved civil rights crimes occurring between 1940 and 1969.
- According to the TBI, any designated attorney would be required to submit to a fingerprint background check conducted at the state and federal level.
- TBI charges \$32.65 for fingerprint background checks. The Federal Bureau of Investigation receives \$12.00, TBI retains \$12.00, and \$8.65 goes to a third party vendor.
- For each OLS attorney designated to inspect investigative records there will be an increase in state expenditures for the General Assembly of \$32.65, and an increase in state revenue for the TBI of \$12.00.
- The total of all fees assessed by TBI and remitted by the General Assembly is not expected to exceed \$50 in any fiscal year. As a result, any impact to state government is considered not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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